

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

American Civil Liberties of Missouri)	
Foundation, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 2:13-cv-4223-MJW
)	
George A. Lombardi,)	
)	
Defendant.)	

Motion for Temporary Restraining Order

Come now Plaintiffs, pursuant to Rule 65 of the Federal Rules of Civil Procedure, and for the reasons set forth in this Motion and the accompanying Suggestions in Support, move this Court for entry of a temporary restraining order requiring Defendant to authorize Plaintiffs to disclose the identity of suppliers of execution drugs and the records which might disclose the identity of individuals as members or former members of an execution team, as defined by the execution protocol, or providing such other injunctive relief as is proper under the circumstances.

Entry of a temporary restraining order is appropriate in this case because Plaintiffs are likely to succeed on the merits of their as-applied First Amendment challenge to Mo. Rev. Stat. § 546.720; the ongoing chilling effect caused by the statute, as applied, is an irreparable harm that will continue absent an injunction; no harm will be inflicted upon Defendants should a temporary restraining order issue; and the issuance of a temporary restraining order is in the public interest.

Accordingly, Plaintiffs request this Court:

- A. Issue a temporary restraining order for a period of fourteen days following entry;
- B. Establish an expedited schedule so that Plaintiffs' motion for preliminary

injunction can be ruled upon before expiration of the temporary restraining order;
and

- C. Allow Plaintiffs such other and further relief as is just and proper under the
circumstances.

Respectfully submitted,

/s/ Anthony E. Rothert
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Certificate of Service

I certify that a copy of the foregoing was served upon defendants by placing the same in the First Class mail addressed as set forth below and by facsimile as set forth below on October 23, 2013:

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